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C O N F I D E N T I A L SECTION 01 OF 06 OTTAWA 000304

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SUBJECT: A/S RADEMAKER, S MEETINGS WITH CANADIANS ON ARMS
CONTROL AND DISARMAMENT ISSUES

REF: A. (A) OTTAWA 269 (BWC/CWC) (NOTAL)

[1](#)B. (B) OTTAWA 124 (MISSILE DEFENSE)

Classified By: POL M/C BRIAN FLORA. REASONS 1.4 (B) AND (D).

[1](#)1. (SBU) SUMMARY. During a day of consultations in Ottawa on January 11, Assistant Secretary for Arms Control Stephen Rademaker and AC/PDAS Frank Record exchanged views with Canadian Foreign Affairs (FAC) and National Defense officials on U.S. and Canadian arms control and disarmament policy. This cable covers discussion of FMCT and this year's vote in the UN First Committee (UNFC), the Conference on Disarmament (CD), differences on landmine policy, the 2005 NPT Review Conference, and space security. Canada proposed follow-on discussions in Washington to better understand aspects of U.S. concerns about FMCT verification, including the cost and intrusiveness of a credible verification regime. Discussion of Canada's prospective participation in ballistic missile defense and status of progress relative to BTWC and CWC are reported septels (refs A and B). END SUMMARY.

[1](#)2. (C) In welcoming remarks, FAC Director General for International Security Paul Chapin summarized the current political landscape in Canada, noting that the government's "minority" status very much was driving the domestic agenda and had an impact on all Canadian government policies. At the same time, Prime Minister Martin wanted to leave a positive mark on his tenure. A preoccupation with Canada's place in the world was reflected in the PM's extensive travel abroad his first 6 months in office, and efforts to cultivate strong relations with the Administration in Washington. The Martin government considered the U.S. relationship to be "damn important", as reflected in the government's commitment of funds and expenditure of efforts on homeland security issues. The upcoming renewal of the North American Aerospace Defense Command (NORAD) agreement in 2006 presented a key opportunity for Canada and the U.S. to examine and improve upon their joint defense of the continent. Globally, Canada continued to work with the U.S. to combat terrorism as evidenced in its commitment to standing up a Provincial Reconstruction Team in Kandahar in the second half of 2005 and, in due course, a "battle group" (early 2006). Chapin noted that the Cabinet was due to approve an overall plan for Afghanistan this month. Though Canada did not have troops in Iraq, Chapin said, it had committed reconstruction funds for Iraq and was participating in the NATO training of Iraqi soldiers.

THE "MEDIUM-POWER" PERSPECTIVE

[1](#)3. (C) Alluding to Canada's preference for a multilateral versus bilateral approach on all issues, Chapin sought insight on U.S. policy approaches under the new Administration. Rademaker said that the ultimate test of the effectiveness of multilateralism is whether it is working or not. In the CD, the veto of states like North Korea and Iran tended to undermine effectiveness. But the U.S. was not naive enough to believe that it alone could get Iran to adhere to norms to which we all needed them to adhere. He acknowledged that the debate within the USG was colored by the Iraq experience. Advocates of multilateralism, he said, had a tough case to make in view of how multilateralism was applied to Iraq from 1991 on. It simply hadn't worked. Multilateralism had to be taken seriously. PDAS Record noted that the problem went beyond the UN, citing the OSCE and problems with Russia in other organizations. Chapin agreed that effective multilateralism, as opposed to "mindless" or "feckless" multilateralism, was key, and observed that the use of the qualifying adjective "effective" increasingly had become standard within the Canadian bureaucracy.

[1](#)4. (C) FAC Nonproliferation, Arms Control and Disarmament Director Rob McDougall said he saw multilateralism in the nonproliferation context as a "toolbox" approach, where the Proliferation Security Initiative, Sea Island initiatives, UNSCR 1540 and the Global Partnership constituted component parts. The best way to improve the effectiveness of the approach was to bolster existing regimes, he said. In some situations, such as North Korea, McDougall went on, multilateralism didn't work. Canada did not support multilateralism as the "only" approach, but did favor "robust" multilateralism. A/S Rademaker agreed, but with the caveat that there had to be acknowledgement of situations where professed support for a multilateral approach was, in effect, intended to be a self-defeating strategy.

15. (C) Paul Chapin characterized the situation in the Conference on Disarmament as a "knot we need to untie;" it was important to re-start FMCT negotiations with fresh ideas. To this end, Canada had some modest proposals that it wanted to run by the U.S. notwithstanding, he added, the fact that Canada had "dumped on" the U.S. ideas last summer. A/S Rademaker said the CD had proved itself historically capable of producing good results; keeping the institution available to us was important. Nonetheless, there was a risk that the forum was approaching irrelevance and in this context new issues were needed -- hence, the USG landmines and FMCT proposals.

16. (C) Rademaker said the U.S. was "dismayed" at Canada's reaction, noting that it was clear that the proposals had struck a nerve in Ottawa. In presenting its FMCT proposal, it was not the USG's intention to target the 1998 "Shannon mandate," he said. Rather, the fundamental motivation was to give the CD something meaningful to do. The concept of an FMCT was an "old" idea that asked virtually nothing of non-nuclear weapon states beyond what already is required of them under the NPT. For non-nuclear weapons states, it was the equivalent of suspenders to go with the belt they were already wearing. A case in point was Iran: If a country chose to defy its NPT obligations in the first place, then the FMCT had little added value as a restriction on that state. With the exception of China, FMCT was no longer about the NWS, because they are no longer interested in producing fissile material for weapons purposes. Rather the real target of FMCT is the "borderline" states like India and Pakistan. After the 1998 tests, the rationale for FMCT had to shift from preventing a nuclear breakout in India and Pakistan to "capping" their nuclear weapons programs.

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17. (C) The USG's review of its FMCT policy took into consideration the end of the cold war and whether a legally enforceable ban still served a purpose. The situation of the threshold countries had changed. India and Pakistan were on similar trajectories: when their need for fissile material was satisfied, they probably would be glad to accede to the FMCT. Though FMCT still made sense, its value diminished with every year that went by. With regard to verification, some aspects to consider were the prospective cost and whether verification was effective, i.e. could we reasonably expect it to detect cheating. In addition, we needed to be satisfied that the U.S. could agree to the level of intrusion that would make verification effective.

18. (C) Rademaker noted that in light of its cold war arms control legacy, the U.S. probably had taken a closer look at these questions than most governments. For effective verification to take place, a highly intrusive regime would be needed, he said. It would be costly, the magnitude of investment probably similar to that in the IAEA. What likely could be agreed in Geneva would fall short of what was needed. Any treaty submitted to the U.S. Senate would require a certification regarding whether the treaty was effectively verifiable. The CTBT experience had been instructive: The Senate had rejected the Treaty largely out of concern that it was not effectively verifiable, rejecting the Clinton Administration's judgment that CTBT was verifiable. Negotiations in Geneva on the FMCT would take many years. Many governments in the CD had reservations about FMCT, and they would be able to use the verification negotiations to delay the treaty for years. For example, Pakistan wants verification of existing stocks knowing that the U.S. opposes verification of existing stocks. The Shannon mandate requires effective verification but USG doesn't believe that is realistically achievable at this time.

19. (C) Chapin responded that it was incumbent upon both sides to explore the rationale for policies over which we disagree. He proposed traveling to Washington to learn in greater detail the elements of USG concerns about verification. Canada might be in a better position to "nuance" its views as a consequence, he said, and could work with the UK, France and others to try and move forward. Rademaker welcomed the offer of follow-on expert consultations on verification.

CANADA WANTS FMCT NEGOTIATED UNDER THE SHANNON MANDATE; U.S. SHOULD BE AT THE TABLE

110. (C) Director for Arms Control, Nonproliferation and Disarmament Rob McDougall ardently defended Canada's position that the 1998 "Shannon mandate," so-named for the Canadian chair under whom the CD agreed to negotiate an FMCT, was the "most expeditious" way to re-start stalled FMCT negotiations. In Canada's view, McDougall said, the CD should be making it as complicated and difficult as possible for countries to make nuclear weapons. Acknowledging that this was a "medium power" approach, McDougall recognized that "most of the P-5

would be inconvenienced." Nonetheless, he continued, the advantage of an FMCT was that it provided an opportunity to engage with countries like India, Pakistan and Israel, and "gray area" countries. He argued that the treaty would give a better handle on what Iran is up to.

11. (C) Responding to U.S. objections to verification, McDougall said that a number of countries were not prepared to go ahead without the possibility of a verification regime. At the same time, the U.S. had some of the best expertise and experience in the world. If the Shannon mandate were re-opened, he argued, "things could fall apart" completely, as many issues finessed by Shannon might be overridden in the current environment. Countries like Pakistan would "fall off." The Shannon mandate, McDougall asserted, set verification as a goal, not a requirement. Similarly, the USG goal should be an effective, intelligent agreement. In entering negotiations USG would not/not have to accept that verification is final outcome, or that it should be part of the outcome. Regardless of what the Mandate says, the U.S. can always say it is unacceptable. McDougall urged the U.S. to enter FMCT negotiations "with the understanding" that USG does not accept that verification is a necessary component. Discussion about verification concerns could then take place in the context of negotiations.

12. (C) Negotiations on technical issues would help find a way around U.S. redlines, McDougall continued. He floated the notion of a "black box" approach to set aside topics of concern to the U.S., such as nuclear propulsion. FAC Arms Control Deputy Director Marina Laker added that nothing in the mandate required that stocks be negotiated. That would be a side discussion, she said. A/S Rademaker responded that stocks don't even come into the picture if we drop verification altogether and deal only with a ban on fissile material production.

13. (C) P/DAS Frank Record expressed appreciation for McDougall's perspective adding, however, that those who disagreed would "throw it back at us." The very fact of our sitting at the table would be taken as a signal that our bottom line had changed, he said. Rademaker reiterated the USG's conclusion that the Shannon mandate needed to be changed. Pakistan did not want to be isolated, and China, which also does not want verification, was protecting Pakistan. Russia had indicated that it would go for FMCT without verification. Canada's intentions were beyond reproach, Rademaker concluded, but it inadvertently was giving protection to Pakistan's position. The U.S. proposal was for a construct similar to what we have in the BWC: Get the prohibition in place.

CANADA'S UNFC VOTE NOT A "ROGUE" OPERATION

14. (C) P/DAS Record raised Canada's conduct at UNFC, noting that there was a "lingering bad feeling" over the fact that Canada had forced the FMCT vote in spite of U.S. concerns and after it had indicated that these would be taken into consideration. Many in the U.S. arms control community felt that Canada had been duplicitous, he said, and it was important to be able to clear the way forward if progress was to be achieved.

15. (C) DG Chapin insisted that Canada's vote in New York was not a "rogue" operation by Permanent Staff and that it had the "full weight of the government" behind it. He stressed that this was not a Canadian effort to force the U.S. to repudiate its policy. With regard to moving on, Chapin proposed that the U.S. and Canada work to hold discussions well in advance of the next meeting. The objective, he said, would be to find common ground before a critical time.

2005 NPT REVIEW CONFERENCE

16. (C) Rademaker stated that the upcoming NPT Review Conference loomed large on the AC Bureau's calendar. The U.S. arms control agenda with Russia continued to move along, he said. On prospective missile defense cooperation, the U.S. was "more eager than them." While Russians professed interest in cooperation, they tended to be rigid and bureaucratic, needing an umbrella agreement and a lot of documentation. This approach was holding up cooperation in other areas as well. Marina Laker underscored Canada's perspective that the U.S.-Russia relationship was vital and that it had a direct impact on a range of multilateral relations.

17. (C) McDougall posited two "realistic" outcomes out of three possible for the Review Conference:
-- an all-rhetorical outcome that would be fairly even-handed, with "no new promises."
-- some hard-nosed commitments on disarmament, nonproliferation and peaceful use
-- some combination of the first and second scenarios (which he deemed highly unlikely)

Canada would be pushing for the second outcome, McDougall said. For this to be achieved, in his view, the NWS would have to be willing to agree to additional disarmament steps beyond what had been agreed in the past. Operation of the treaty mattered and all states parties were responsible for implementation of the treaty. Canada was not after a secretariat with a budget and complicated rules of

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procedures. At the same time, an "interim approach" was needed to handle inter-session activity. McDougall recalled that the Indian and Pakistani tests and decisions to withdraw from the Treaty had transpired at a time when NPT adherents could not convene for several months. An interim approach was needed.

18. (C) Another area Canada hoped to address was the inclusion of NGOs at relevant meetings. From the perspective of non-nuclear weapons states, McDougall said, it would be important to increase the participation of NGOs. A great deal of Canada's nuclear expertise was with NGO groups. Moreover, it was through the NGOs that the Canadian government maintained public support for its policies.

19. (C) Nuclear and Chemical Disarmament Agency Deputy Director Terry Wood raised the need to address inconsistency in the relationship of Article 4 to Article 3 of the Treaty. He noted that under the IAEA statute, a finding of non-compliance automatically triggered a report to the UNSC.

20. (C) A/S Rademaker responded that the U.S. wants a successful Review Conference. He agreed with McDougall's take on three possible outcomes but said it was not realistic to expect the U.S. to commit to more disarmament beyond what was as outlined in the "13 steps" agreed at the 2000 Revcon. Laker said that the U.S. should implement existing commitments set forth in the 13 steps. Canada believed that a large group of "middle countries" would go along. Nobody expected the Bush Administration to ratify the CTBT, but some of the 13 steps could be palatable. Rademaker noted that some of the steps were already over taken by events. It was unlikely, he said, that the U.S. could agree to anything that would be seen as progress beyond 2000. McDougall noted that adherence to the 13 steps was unlikely and said he didn't see the necessity of reinforcing the 13 steps. The real question was how to present new concrete steps with which the U.S. was comfortable.

21. (C) McDougall said that on tactical nuclear weapons, for example, the U.S. had carried out its commitments to the letter. But we get no credit for this. PDAS Record observed that it would be useful if Canada could say something publicly about its views on this issue, including its assessment of the extent to which NWS have implemented their Article VI commitments.

CANADA AND THE NEW AGENDA COALITION

22. (C) A/S Rademaker raised U.S. unhappiness over the New Agenda Coalition resolution in the UNFC. Canada had supported the resolution, as had some other NATO allies, including some that hosted non-strategic nuclear weapons (NSNW) on their territory. There were very few NSNW left in NATO, but when a European government voted to say that NSNW should be reduced further, it had the effect of actively recruiting others to the New Agenda Coalition. Governments needed to think through what they wanted, Rademaker said. Russia had not fulfilled its Yeltsin commitment. PDAS Record noted that in some forums (NATO and HLG), the issue was handled behind closed doors. But in public forums like the UNFC, the approach was quite different. It seemed that some government were "subcontracting" crucial policy issues to NGOs, which at some point might not be in the government's best interests. Though NATO wanted NSNW left in Europe, continued support by NATO governments for resolutions like the one just adopted could ultimately make this untenable.

23. (C) McDougall said that the 2004 resolution calling on "states to withdraw all non-strategic nuclear weapons" from foreign territory was a reflection of Canadian policy. It was a general statement only, he said, applicable more to Russia than the U.S. In general, he said, the matter had been left up to the Alliance and the basing states, which in retrospect was out of sync with a "changed environment." There were arguments against any nuclear weapons, McDougall continued, but the matter had never been seriously addressed. The 2004 resolution was a "considerable improvement" and Canada's position carried the full weight of the government behind it, he asserted. Rademaker responded that the Alliance clearly had made a judgment that there was continued utility to nuclear weapons. He acknowledged that the Alliance would continue thinking about these things. McDougall said that Canada supported a more up-front public posture on nuclear weapons, as more could be done with documents and information available. If you are going to have an NPT, he affirmed, nuclear weapons have to be a topic

of discussion. NATO had to make the case that it was a good disarmament citizen, McDougall concluded.

CANADA WANTS DISCUSSION OF "SPACE SECURITY" AT THE CD

124. (C) Robert Lawson of FAC's International Security Research and Outreach Programme (ISROP) presented a briefing on "space security," including the assessment by advocates of the "Prevention of an Arms Race in Outer Space (PAROS)" group that space security had been reduced in 2003. The briefing underscored the panel's conclusion that developments related to national space security policies and doctrines, space and terrestrial military operations, space systems negation, and space-based strike weapons were "assessed to have had negative impact on the sustainability of space security over the longer term." In this regard, Canada was focusing on establishment of a PAROS Ad Hoc Working Group with a discussion mandate at the CD as a first step to development of a ban on space-based weapons. Canada would continue to engage key players in the space security debate, Lawson said, "to explore shared interests and seek means to move forward cooperatively." He identified the U.S. as a key potential partner for this endeavor and proposed an exchange of experts on space security policies and doctrines.

LANDMINES

125. (C) Opening the discussion on landmines, A/S Rademaker stated that the U.S. had not sought to embarrass Canada in presenting a proposal at the CD to ban the sale or export of persistent landmines. Rather, a review of U.S. landmine policy had presented a possible opportunity to revive the CD, which was at gridlock over its traditional agenda. It was an important multilateral institution that was atrophying. The U.S. considered raising the landmines transfer ban at the Convention on Conventional Weapons (CCW), but determined that the CCW would not be able to handle an additional landmines proposal.

126. (C) Rademaker commended the success of the Ottawa Convention and its signatories for drawing attention to the humanitarian problem of landmines and mobilizing U.S. funding for humanitarian de-mining. However, the Convention was a means to an end, not an end in itself. Though not obsolete, the Convention was a fine solution for countries that don't need landmines. It was not a realistic scenario for the U.S., however. Rademaker noted that Germany had not given up landmines until the end of the cold war, and the U.S. and ROK were still in a cold war scenario on the Korean Peninsula. Moreover, the U.S. was giving up persistent landmines. Because non-persistent landmines were built to self-destruct or de-activate in a matter of hours or days, the humanitarian concern behind the Ottawa Convention would be fully addressed by the new U.S. policy. In some respects, the U.S. policy was better than Ottawa, Rademaker said, because it also covered anti-vehicle mines. Under the policy, the U.S. would eliminate all of its persistent anti-vehicle mines, which are permitted under Ottawa. The Convention also was susceptible to evasion of its stated goals in the case of anti-vehicle mines with anti-handling devices, which can function like anti-personnel mines. Finally, Rademaker noted that Russia was unlikely to adhere to the Ottawa Convention and senior Russian officials had told Rademaker that Russia "needs" non-detectable anti-vehicle persistent mines. At the same time, it was prepared to negotiate a transfer ban on landmines.

127. (C) Acknowledging that there were obvious policy differences between the U.S. and Canada, Special Envoy for Landmines Ambassador Ross Hynes said that a great deal of progress nonetheless had been made in collaborations with A/S Bloomfield and senior PM staff. The Ottawa Convention, he asserted, was the only multilateral disarmament agreement on landmines and the U.S. proposal had serious implications for the parties to the Ottawa treaty. Canada and parties to the OC could not negotiate a separate treaty on a sub-category of landmines, Hynes asserted. Canada continued to advocate a ban on all persistent antipersonnel and anti-vehicle landmines; participation in negotiations would imply that Canada "accepted" trade in other categories of landmines. The U.S. should not expect Canada and 144 signatories to the Ottawa Convention to negotiate a "lesser" standard than a comprehensive ban.

128. (C) Rademaker said there was a difference between caring about the "problem" of landmines and simply wanting to promote the Ottawa Convention. Russia's willingness to negotiate a specific ban on transfers seemed to be a critical opportunity, and senior Russian officials had said they did not desire an ad hoc process similar to Ottawa. Chapin responded that there was a tremendous debate about the Convention, even in Canada. It was important to think of ways to associate as many people as possible with efforts to mitigate the problem of landmines. For Canada, a parallel treaty was undesirable. But there were downsides to doing nothing and he acknowledged that Rademaker had raised some key points that should be addressed in another meeting.

129. (C) Hynes countered that the new U.S. policy on landmines was a disappointment and it seemed that Washington had not come to grips with the problem of landmines. There were humanitarian arguments and concerns about non-persistent landmines. There was no acknowledged trade anywhere in the world, Hynes said. Canada was not wedded to the Ottawa Convention for ideology or "amour propre." It was keen to address aspects of Convention but could not negotiate on proposals that sought to distinguish between persistent and non-persistent. Finally, the higher technological standards of anti-vehicle mines were a luxury that only the U.S. could afford - hence why the U.S. had gotten nowhere with its proposal.

130. (U) This cable has been cleared by Assistant Secretary Rademaker.

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